

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY RAY WOLFENBARGER,

Defendant.

Case No. 16-CR-00519-LHK-1

**PRETRIAL CONFERENCE ORDER**

Counsel for the Government: Marissa Harris and Jeffrey Nedrow  
Counsel for Defendant: Severa Keith

On February 5, 2020, the Court held a pretrial conference.

Further Status Conference

The Court hereby schedules a status conference on February 12, 2020 at 9:15 a.m. to discuss the status of the Government's anticipated superseding indictment and whether the parties would be available to begin trial on Thursday, March 12, 2020.

Trial Dates

The Court set the trial for six days, beginning with jury selection, reading of the preliminary jury instructions, and opening statements on March 13, 2020, and continuing on March 16, 19, 20, 23, and 24. As discussed above, the parties shall update the Court no later than

the February 12, 2020 status conference whether the parties are able to advance the trial to March 12, 2020.

Motion to Suppress (ECF No. 265)

The Court granted Defendant's request to file a supplemental brief, of no more than 3 pages, by February 6, 2020. The Government shall file an opposition by February 19, 2020, and no reply will be permitted. The parties agreed that no evidentiary hearing is necessary.

Government Motion in Limine No. 2 (ECF No. 233)

The Court ordered the Government to file a reply to Defendant's opposition, ECF No. 245 at 4–7, by February 24, 2020.

Jury Selection

By February 19, 2020, the parties shall file and email to the Courtroom Deputy a Microsoft Word version of a joint list of entities, individuals, dates, and locations for jury selection purposes. The list shall also include a March calendar showing the trial dates.

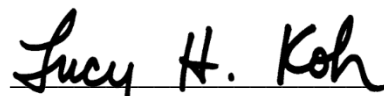
Each side will have 15 minutes for attorney voir dire. The Government will have 8 peremptory challenges, and Defendant will have 12 peremptory challenges total. 12 jurors and 4 alternates will be selected.

Stipulations

The deadline for stipulations is February 19, 2020. If the government cannot obtain a stipulation on the custodian of records and needs to file a motion, any such motion will be due to the Court on February 21, 2020, and any opposition will be due on February 25, 2020. No replies will be permitted.

**IT IS SO ORDERED.**

Dated: February 5, 2020



LUCY H. KOH  
United States District Judge